

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DIXIE GRALEY-BRUMLOW RUSSEL,	:	
	:	Civil Action 2:08-cv-1050
Plaintiff	:	Judge Frost
v.	:	Magistrate Judge Abel
MARY BRUMLOW, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

Plaintiff Dixie Graley-Brumlow Russel filed this action on November 6, 2008, naming over a hundred defendants. She claimed that some or all of these defendants had injured her in a variety of ways, including the conducting of “devil worship” on her property, the use of lasers to blind her, and the use of unspecified equipment to read her mind. She further made claims that various defendants had misappropriated the property of, and had poisoned, a person of whose estate she is now the administrator.

On November 28, 2008, the Magistrate Judge issued a report and recommendation that this case be dismissed. (Doc. 3.) He found that Plaintiff had failed in her obligations under Fed. R. Civ. Pro. 8(a)(1) and (2) to make a “short and plain statement of the grounds for the court’s jurisdiction” and “a short and plain

statement of the claim”, finding:

The United States federal courts, generally speaking, only have the power to hear either cases which out of federal law or the United States Constitution (“federal question jurisdiction” under 28 U.S.C. §1331), or cases in which more than \$75,000 is at issue and which are between citizens of different states (“diversity jurisdiction” under 28 U.S.C. §1332). Plaintiff does not mention that any of her claims are based in federal law, and virtually all of the defendants she lists are citizens of Ohio. Therefore, she has not satisfied Rule 8(a)(1). In addition, it is extremely difficult, or even impossible, for the Court to determine the nature of Plaintiff’s vague claims beyond the brief outline stated above. Plaintiff’s Complaint is stated so vaguely, and presents such a confusing assortment of allegations, that it does not contain “a short and plain statement of the claim”.

Plaintiff filed objections, after a fashion, to this report and recommendation.

(Doc. 6.) She stated simply that the Magistrate Judge’s ruling that her complaint fails to state a claim was false, that the complaint was true, and that she hoped the judge would rule in her favor.

Upon *de novo* review, as provided for by 28 U.S.C. §636(b)(1) and Fed. R. Civ. Pro. 72(b)(3), I find that the Magistrate Judge was correct in his characterization of Plaintiff’s complaint as failing to state a claim and failing to state a basis for this Court’s jurisdiction. I therefore **ADOPT** the Report and Recommendation (Doc. 3), and hereby **ORDER** that this case be **DISMISSED**.

s/Gregory L. Frost
United States District Judge